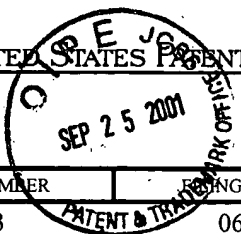




UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,403	06/04/2001	Pramod K. Srivastava	8449-178-999

CONFIRMATION NO. 1802

FORMALITIES LETTER



OC000000006337769

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

Date Mailed: 07/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/01/2001 FFANAEIA 00000119 161150 09873403
01 FC:205 65.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **1d** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in

the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

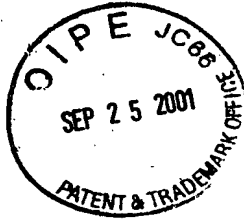
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



09-8-0 SECOP
Express Mail No.: EL 501 641 738 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava

Application No.: 09/873,403

Group Art Unit: Not yet assigned

Filed: June 4, 2001

Examiner: Not yet assigned

For: COMPLEXES OF ALPHA (2) MACROGLOBULIN
AND ANTIGENIC MOLECULES FOR
IMMUNOTHERAPY

Attorney Docket No.: 8449-178-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND
REQUEST TO ESTABLISH SMALL ENTITY STATUS**

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R:

In response to the Notice to File Missing Parts of Nonprovisional Application dated July 25, 2001 ("Notice"), Applicant submits herewith: (1) Declaration for Nonprovisional Patent Application executed by the inventor Pramod K. Srivastava on September 24, 2001; (2) a Power of Attorney executed by Michael F. Newborg on behalf of University of Connecticut Health Center; (3) Substitute drawings (7 Figures on 65 Sheets) in compliance with 37 C.F.R. § 1.84; and (4) a copy of the Notice to File Missing Parts of Nonprovisional Application.

Applicant is also submitting herewith: (a) a Preliminary Amendment under 37 CFR § 1.115; (b) an Information Disclosure Statement under 37 C.F.R. §1.56 with a revised PTO-1449 form, citing references AA-DZ; (c) a Verified Statement Claiming Small Entity Status for the University of Connecticut Health Center; and (d) a Verified Statement Claiming Small Entity Status for Antigenics, LLC.

Applicant is also submitting under separate cover for recordation on even date herewith, an executed Assignment executed by Pramod K. Srivastava on September 24, 2001,

assigning his entire right, title and interest in the instant application to the University of Connecticut Health Center.

In response to the Notice, the apparent omission of Figure 1D was due to a typographical error in the specification, which resulted in the mislabeling of the subparts of Figure 1. Applicant submits herewith a Preliminary Amendment which amends the specification to correct the description of Figure 1A-C. As amended, there is no Figure 1D in the specification.

The University of Connecticut Health Center has granted certain rights in the application to Antigenics, LLC. The University of Connecticut qualifies as a Small Entity under 37 C.F.R. §§ 1.27(a)(3). Antigenics, LLC qualifies as a Small Entity under 37 C.F.R. §§ 1.27(a)(2). It is respectfully requested that the application be accorded Small Entity Status in accordance with 37 C.F.R. §§ 1.27(a)(2), and 1.27(a)(3).

The surcharge required to be filed with the accompanying Declaration under 37 C.F.R. § 1.16(e) has been estimated to be 65.00 (Small Entity). Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date: September 25, 2001

Adriane M. Antler

32,605

Adriane M. Antler

(Reg. No.)

By:

Eileen E. Falvey

46,097

Eileen E. Falvey

(Reg. No.)

PENNIE & EDMONDS LLP

~~1155 Avenue of the Americas~~

New York, New York 10036-2711

(212) 790-9090

Enclosures